



**Lowenstein
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February 25, 2021

VIA ECF

Honorable Leda Dunn Wettre, U.S.M.J.
U.S. District Court for the District of New Jersey
Martin Luther King Building
50 Walnut Street
Newark, NJ 07102

Re: City of Newark v. City of New York, et al. No. 2:19-cv-20931

Dear Judge Wettre:

This law firm represents Class of Affected Tenants (“Tenants”) in the above-referenced matter. We write seeking leave to move for default judgment pursuant to Fed. R. Civ. P. 55 against the City of Newark (“Newark”) for failing to answer or otherwise respond to Tenants’ November 12, 2020 Intervenor Complaint (the “Complaint”).

Newark’s response was originally due on December 3, 2020. Newark did not respond to the Complaint, seek an adjournment, or communicate with Tenants by this date.

Tenants then raised the issue with Newark on January 11, 2021. The following day, Newark responded, offering reasons for its delay and requesting Tenants’ “patience and just a few more days.” Tenants obliged. But Newark never responded to the Complaint.

On February 2, 2021, Your Honor held a status conference and the parties agreed, and Your Honor ordered (D.E. 99), that “Newark shall answer, move, or otherwise respond to the Class of Affected Tenants’ intervention complaint on or before February 19, 2021.” Newark itself proposed this February 19, 2021 deadline in its pre-status conference, February 2, 2021 letter to the Court.

It is now February 25, 2021 (almost a week later), and Newark still has not answered or otherwise responded to Tenants’ Complaint (or reached out to Tenants with an explanation and/or request for more time). Given that it is over three months since Tenants filed their Complaint, Tenants feel as though it is time to seek default judgment.

Tenants thank the Court for its consideration of this matter.

Respectfully submitted,

s/ Anthony Cocuzza
Anthony Cocuzza